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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/399,729  | 09/20/1999  | BRIAN YANG           | EM/YANG/4998        | 2597             |
| 7590  | 04/07/2008  |                      | EXAMINER            |                  |
| BACON & THOMAS<br>625 SLATERS LANE<br>4TH FLOOR<br>ALEXANDRIA, VA 22314 |             |                      | LEE, PING           |                  |
|   |             | ART UNIT             | PAPER NUMBER        |                  |
|   |             | 2615                 |                     |                  |
|   |             |                      | MAIL DATE           | DELIVERY MODE    |
|   |             |                      | 04/07/2008          | PAPER            |
|   |             |                      |                     | //               |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

BACON & THOMAS  
625 SLATERS LANE  
4TH FLOOR  
ALEXANDRIA, VA 22314  
US

Dear Sir/Madam,

Your refund request for 09399729 in the amount of \$88.00 has been denied.

This is in response to your letter submitted on November 20, 2007 wherein you requested a refund in the above-identified application.

After thorough inspection of U.S. Patent and Trademark Office physical records in the above identified application and Revenue Accounting Management financial records, it is determined that you are not entitled to a refund.

It has been discovered that the initial request for the charge for independent claims in excess of three was correct. The amendment was processed after a petition for withdrawal of abandonment was granted on February 5, 2005. The application was flagged lost with in the office therfore causing the dealy in entering the amendment and the office action thus following. Therefore, the charge of \$88.00 that appeared on the statement for May, 10, 2007 is valid.

In view of the above the request for refund is denied.

Sincerely,  
*Jimmy D. Williams Jr.*  
Earline Green  
Technical Center 2600  
571 272 2993